

BOARD OF SELECTMEN MEETING
Tuesday, September 30, 2014

A meeting of the Rockport of Selectmen was held at 6:30 pm in Conference Room A in Town Hall on Tuesday, September 30, 2014; five selectpersons and the Town Administrator were present.

6:30 Meeting Called to Order

Executive Session – Confidential Information: Selectperson Battistelli moved that the Board of Selectmen enter Executive Session under MGL Chapter 30A, §21(a) for Exception #10 to discuss confidential information and reconvene in open session, seconded by Selectperson Murphy, Selectperson Battistelli – aye, Selectperson Lucas – aye, Selectperson Murphy – aye, Selectperson Sheedy – aye, Chairperson Wilkinson – aye, all in favor.

Executive Session, Motion Approved, Roll Call Vote.

7:00 Pledge of Allegiance and Moment of Silence

Approval of Minutes of September 16, 2014: postponed to next meeting.

Approval of 9/16/14 minutes Postponed.

Approval of Executive Minutes of August 5, 2014: Selectperson Lucas moved that the Board of Selectmen approve and release the executive session minutes of August 5, 2014, seconded by Selectperson Sheedy, Vote: 3-0. Selectpersons Murphy & Battistelli abstained as they were not present on 8/5/14.

Approval of 8/5/14 Executive Session Minutes Motion Approved

Interview of Phineas Kelly for the Beautification Committee: Selectperson Battistelli nominated Phineas Kelly as a member of the Beautification Committee for a one year term to expire on June 30, 2015, seconded by Selectperson Murphy, Vote: 5-0. Selectperson Battistelli amended the motion to state that she appoints Phineas Kelly as a member of the Beautification Committee for a one year term to expire on June 30, 2015, seconded by Selectperson Murphy, Vote: 5-0.

Appointment of Phineas Kelly to Beautification Committee Motion Approved

Interview of Mary Zivkovic for the Beautification Committee: Selectperson Sheedy nominated Mary Zivkovic as a member of the Beautification Committee for a one year term to expire on June 30, 2015, seconded by Selectperson Battistelli, no vote taken. This will be an action item on the next Board of Selectmen meeting's agenda.

Nomination of Mary Zivkovic for Beautification Committee, no vote taken.

Interview of Stephanie Woolfe for the Millbrook Meadow Committee: Selectperson Murphy nominated Stephanie Woolfe as a member of the Millbrook Meadow Committee for a one year term to expire on June 30, 2015, seconded by Selectperson Sheedy, no vote taken, this will be an action item on the next meeting's agenda. She said she has been working on Front Beach and has been to some Millbrook Meadow

Nomination of Stephanie Woolfe to Millbrook Meadow Committee, No vote taken.

meetings. Sam Coulbourn said it makes sense to have members who are involved in other town committees.

Selectmen Updates and Liaison Reports: Selectperson Lucas said she met with Karen Berger about the Cultural District today. Selectperson Lucas said K. Berger did a lot of work to get the designation for Rockport with the application process, etc. Selectperson Lucas said that K. Berger said she sees this as part of Economic Development; though there's no one to take this on now. They are hoping to get some application support from the IT department. Selectperson Murphy said he is irritated about the accusation made at the last meeting by a pro-fluoride individual alleging that the Board of Selectmen got together with the Finance Committee and other town boards regarding the fluoride vote at town meeting. Selectperson Murphy said this would be a violation of the open meeting law, and it was not true. Selectperson Battistelli said at the last DPW meeting the Millbrook Meadow Committee presented and they will be presenting to the Board of Selectmen on the 14th of October.

Public Comment Period: Toby Arsenian, 95 Granite St., 1) said he is interested in the discussion about movies and fees, he questioned if the public will be allowed to comment because he said he has something to say, 2) said he understands some trees will be cut under the stone bridge to improve the view of the archway and it will be going before the Conservation Commission; 3) he said reconsideration votes at town meeting need to be explained, to warn voters that they need to stay the additional 30 minutes, and the town's by-laws are different than Robert's Rules of Order.

Town Administrator's Report:

- The town is receiving additional funds for winter road damage,
- The Council on Aging is starting to look into a van because they are having problems with dial-a-ride and there are many individuals who would like to participate but transportation is needed. It was recommended that the COA come to a Board of Selectmen meeting; they would like to know how the Board of Selectmen feels about this. An additional staff member would be necessary to drive the van and insurance for the vehicle would be necessary.
- Chairperson Wilkinson said the Community House is running smoothly with new manager, Bill Balzarini.
- There has been a request to revisit the winter parking ban. Selectperson Murphy said he has been in favor of revising the parking ban; he said the current parking ban is a hardship for many residents. There had been discussion that perhaps the town would need different equipment in order to change the ban. Selectperson Murphy will investigate further.
- The Town Administrator said that the Estate of Ann Story has made a motion to vacate the judgment, regarding the property at 33 Atlantic Avenue. This property was awarded by the court to the town; there are 12 months from the

date of award to the town that they can move to vacate the judgment to change the ownership. The property could go back to the estate.

- The Chief of Police's retirement party is this Friday, his last day, from 11:30am to 2pm at the Police Station.
- There are letters of commendation for police officers Tibert, Hurst, and George, who handled a delicate situation that could have been tragic but it wasn't.
- 59 High Street, Selectperson Lucas recused herself and sat in the audience. There was discussion on whether or not to remove the structure on the property. The prior vote was to sell the property with or without the house. The Town Administrator said the appraisal came in around \$200,000, without the house the appraisal would be about \$25,000 higher. The property is currently non-conforming. It was stated that the wall has been taken down. Chas. Kreis, 61 High Street, said there is contaminated soil there, motors, oil, etc., he said he has seen a rainbow of water running down the street. He said he is concerned if the property is torn down, there could be problems. He questioned how the town knows the building isn't contaminated. It was questioned if a 21E is required. Selectperson Sheedy recommended double checking if the town has any liability by removing the building.

Action List

- One Day Alcohol License for Friends of Rockport Athletics: Selectperson Lucas moved that the Board of Selectmen approve and sign a One Day Alcohol License for the Friends of Rockport Athletics for October 17, 2014, seconded by Selectperson Murphy, Vote: 5-0.
- 12 Long Beach Lease Address Change: Selectperson Battistelli moved that the Board of Selectmen approve and sign a lease for 12 Long Beach to reflect a change of address, seconded by Selectperson Sheedy, Vote: 5-0.
- Memorial Bench Approval at Pigeon Cove: Selectperson Sheedy moved that the Board of Selectmen grant permission for a memorial bench with two exceptions to its Memorial Bench Policy #10-04 and approve the installation for a memorial bench made of granite with a pair of slippers etched into the stone (which is an exception to being limited to name only), to be installed at the Pigeon Cove upland wharf sitting area (which is an exception to the locations of Beech Grove and Locust Grove cemeteries), seconded by Selectperson Battistelli, Vote: 5-0. Bob Morris, Dodd's Lane, presented this request to the Board and said the bench is being requested in memory of Diane Nelson who passed away recently and played a very active role in the battle of Pigeon Cove.
- Memorandum of Agreement with AFSCME General Unit: Selectperson Murphy moved that the Board of Selectmen approve and sign a Memorandum of Agreement with the AFSCME Council 93, Local 1679 General Unit to

Action List:

One-day alcohol
license for
Friends of
Rockport
Athletics
Motion Approved

12 Long Beach
Lease Address
Change
Motion Approved

Memorial Bench
Approval at
Pigeon Cove
Motion Approved

Memorandum of
Agreement with
AFSCME
General Unit
Motion Approved

Action List:

Continued

revise that Collective Bargaining Agreement to include the addition of a weekend wastewater pump check stipend of \$75 per day, seconded by Selectperson Sheedy, Vote: 5-0.

Engineering Services Agreement for Detritor Replacement Motion Approved

- Engineering Services Agreement for Detritor Replacement: Selectperson Lucas moved that the Board of Selectmen approve and sign an Engineering Services Agreement with Stantec Consulting Services, Inc. of 5 LAN Drive, Westford, Massachusetts for engineering services required for the design and construction of a new detritor for grit removal at the Wastewater Treatment Plant for a fee not to exceed \$64,500, seconded by Selectperson Murphy, Vote: 5-0.

Acceptance of Gift of Rocks Motion Approved

- Acceptance of Gift of Rocks: Selectperson Battistelli moved that the Board of Selectmen accept a gift of large rocks and boulders donated by the Bass Rocks Golf Club of Gloucester, seconded by Selectperson Sheedy, Vote: 5-0.

Acceptance of Donation from the Friends of the Rockport Rights of Way Motion Approved

- Acceptance of Donation from the Friends of the Rockport Rights of Way: Selectperson Sheedy moved that the Board of Selectmen accept a gift in the amount of \$3,099.81 from the Friends of the Rockport Rights of Way to be used for rights of way projects, seconded by Selectperson Murphy, Vote: 5-0.

Selectmen Briefing

Selectmen Briefing

Fall Town Meeting de-briefing

- Fall Town Meeting Debriefing: T. Arsenian, 95 Granite Street, said after any controversial vote at town meeting, it would take just 30 seconds to remind voters that anyone can ask for reconsideration and advise them to stay. R. Visnick said the best we can do is mentioned the by-laws and we can go over some of them. We don't want to favor some over others; residents should educate themselves on the rules. The town's by-laws are a change to Robert's Rules. Chairperson Wilkinson said we could devote a portion of a Board of Selectmen meeting on how the town meeting process works. There is a video on town meetings that could be linked to the town's website. Selectperson Battistelli said the orange placards were helpful; she suggests asking those who want to speak to come to the center, that way they're in line waiting to speak. Other volunteers for microphones were recommended. R. Visnick said he would like to try to increase attendance and participation at town meetings. Chairperson Wilkinson said individuals don't need to stay for the whole meeting. R. Visnick recommended holding a series of workshops explaining the town meeting process. T. Arsenian, 95 Granite Street, said some people are uncomfortable talking in public, and everyone doesn't have access to the internet.

Graffiti on Public Property

- Graffiti on Public Property: Mary Devaney, 1 Holbrook Court, (Rights of Way Committee member) presented. She said since late June an individual or group has placed hundreds of images (graffiti) around town; she said it's malicious.

She said it is recommended that graffiti be removed within 36 to 48 hours. She said if it is allowed to remain; more will appear. S.Coulbourn recommended a line item in the DPW budget be initiated for removing the graffiti and how about offering a reward for some leads to find the individual(s) responsible. The Town Administrator suggested a press release with a couple of examples of the graffiti and the associated fines for vandalism. Selectperson Murphy recommended contacting art teachers in the local schools and showing them the samples to see if they recognize it. Chairperson Wilkinson said this is a community problem and the Board of Selectmen can certainly take the lead. The Police, DPW, and schools can pull together to get this cleaned up and find those responsible.

Graffiti on
Public Property

8:20 Discussion Items

- Police Chief Recruitment Process: Three interim police chief candidates are scheduled to be interviewed next Monday evening, 10/6/14 at 7:30 pm at town hall. Some members of the Rockport Police Department were in attendance to express concern that they didn't know what was happening with filling the vacant Police Chief position. Chairperson Wilkinson apologized if the staff were not aware of the process and if they felt left out. Chairperson Wilkinson indicated in advance of Monday night's Board of Selectmen meeting she would like to meet with staff at the police station to update them on the process. She recommended anyone with questions going forward can e-mail her directly.

Discussion
Items:

Police Chief
Recruitment
Process

T. Arsenian, 95 Granite St., said he thinks it is a good idea to invite patrolmen and officers as well as the chief to interview these candidates as well as when the permanent replacement is recruited. Selectperson Murphy said the process needs to be open. He recommends a screening committee be formed of individuals that have a stake in the position. Selectperson Murphy said he would like to see 8-10 people on the screening committee. He said qualified individuals should be encouraged to apply; both internal and external. He said the interim chief could stabilize the department; some fresh eyes can be a good thing, we haven't filled this position in 17 years.

Selectperson Lucas said she is in favor of having a firm screen the applicants and recommend the top three.

The Town Administrator said she has had experience in Ashby, they hired BadgeQuest to conduct a nationwide search; they handled the advertising and screening. There were around 80 applications for that small town. BadgeQuest systematically went through the applications and removed any unqualified. They conducted thorough background checks that citizens cannot perform. This is their specialty; a citizen committee wouldn't be equipped to do some of this. There was still about a dozen that they sent to the search committee. All hiring is subject to physical and psychiatric evaluations. She

said there were 14 individuals on the Town Administrator's hiring committee when she was hired. Only information on the finalists is released to the public.

Location Fees for
Filming and
Commercial/Marketing
Photo Shoots

- Location Fees for Filming and Commercial/Marketing Photo Shoots: Meg Montanigno was asked to present to the board. Selectperson Lucas said the town receives requests for folks to film in Rockport. She said sometimes there is a location budget; sometimes the requests can be inconvenient (traffic, parking, interrupting businesses, etc.). Chairperson Wilkinson said this isn't about local photographers. The Town Administrator said they can buy out a meter; and there can be a fee charged for issuing a permit. They provide insurance binders. This covers magazine photo shoots as well. Selectperson Lucas said the town would like to be reimbursed for these events if the production's budget allows for it. M. Montanigno said some production companies prefer to donate funds to the community they are filming in rather than paying fees. She recommended once the policy and associated forms are developed, they be put on the town's website. Chairperson Wilkinson asked M. Montanigno if she would be willing to continue to be a resource to the town while this policy is being developed, she indicated she would be.

Other Business/Announcements: Selectperson Murphy moved to schedule a Board of Selectmen meeting to interview interim candidates for the chief of police position on Monday evening, October 6, 2014 at 7:30 pm, seconded by Selectperson Sheedy, Vote: 5 -0.

10:00 Selectperson Murphy moved to adjourn, seconded by Selectperson Sheedy, Vote: 5-0.

Warrant signed:

Warrant signed for the Fiscal Year 2015 Payroll and Expenses for the week of 10/3/14 in the amounts of \$492,466.67 and \$787,281.31 respectively.

Items signed:

Stantec Consulting Agreement

Memo of Agreement AFSCME

12 Long Beach Lease

Special license - alcoholic beverages - Friends of Rockport Athletics